

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Christopher Lee Card v. J. Moreno, et al.

Card · No. 2:24-cv-2250-TLN-EFB (PC) · Decided September 10, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations after reviewing the plaintiff’s objections. The court dismissed the § 1983 complaint without prejudice for lack of jurisdiction and directed the clerk to terminate pending motions and close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 10, 2025
DOCKET	2:24-cv-2250-TLN-EFB (PC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations after Plaintiff filed objections.
STANDARD OF REVIEW	The district court presumed the magistrate judge's factual findings correct and reviewed the magistrate judge's legal conclusions de novo.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is not stated in the opinion.
PARTIES	Christopher Lee Card v. J. Moreno, et al.

TOPICS

- section 1983
- subject matter jurisdiction
- civil procedure
- civil rights

PRACTICE AREAS

- civil rights
- federal civil procedure
- subject matter jurisdiction

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's findings and recommendations after reviewing Plaintiff's objections.
2. Whether the complaint should be dismissed without prejudice for lack of subject matter jurisdiction.

HOLDINGS

1. The district court presumed the magistrate judge's factual findings correct and reviewed the magistrate judge's conclusions of law de novo.
2. The findings and recommendations were adopted in full, and the complaint was dismissed without prejudice for lack of jurisdiction.

KEY QUOTATIONS

“The complaint is *DISMISSED* without prejudice for lack of jurisdiction;” (at 2)

FACTUAL BACKGROUND

Plaintiff Christopher Lee Card proceeded without counsel in a civil-rights action seeking relief under 42 U.S.C. § 1983. The opinion does not provide substantive facts underlying the claims because it concerns review of the magistrate judge's findings and recommendations. The district court found those findings and recommendations supported by the record and proper analysis.

PROCEDURAL HISTORY

Plaintiff brought a pro se civil-rights action under 42 U.S.C. § 1983. The matter was referred to a magistrate judge, who issued findings and recommendations on May 29, 2025. After Plaintiff objected, the district court reviewed the record, adopted the findings and recommendations in full, dismissed the complaint without prejudice for lack of jurisdiction, terminated pending motions, and closed the case.

DISPOSITION

dismissed

CASES CITED

- Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979)
- Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir. 2007)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 CHRISTOPHER LEE CARD, 12 Plaintiff, No. 2:24-cv-2250-TLN-EFB
(PC) 13 v. 14 J. MORENO, et al., ORDER 15 Defendants. 16 17 Plaintiff Christopher Lee Card
 (“Plaintiff”) proceeds without counsel in this civil rights 18 action seeking relief under 42 U.S.C. §
 1983.

The matter was referred to a United States 19 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) (B) and Local Rule 302. 20 On May 29, 2025, the magistrate judge filed findings and recommendations which were 21 served on all parties and which contained notice that any objections to the findings and 22 recommendations were to be filed within fourteen (14) days.

(ECF No. 7.) Plaintiff has filed 23 objections to the findings and recommendations. 24 The Court presumes that any findings of fact are correct. See *Orand v. United States*, 602 25 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. 26 See *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the 27 magistrate judge are reviewed de novo by both the district court and [the appellate] court[.]”).

28 Having reviewed the file, including Plaintiff's objections, the Court finds the findings and 1 recommendations to be supported by the record and by the proper analysis. 2 Accordingly, IT IS HEREBY ORDERED that: 3 1.

The findings and recommendations filed May 29, 2025, (ECF No. 7), are ADOPTED 4 in full; 5 2. The complaint is DISMISSED without prejudice for lack of jurisdiction; and 6 3. The Clerk of Court is directed to TERMINATE all pending motions and CLOSE the 7 case. 8 Date: September 9, 2025 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28